

Form 149

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Sharon M Friedel
Debtor(s)

Bankruptcy Case No.: 17-24417-CMB
Issued Per Sep. 27, 2018 Proceeding
Chapter: 13
Docket No.: 34 - 31
Concl. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 13, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,286 as of October 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at, in*. If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: The claim of City and School District of Pittsburgh at Claim No. 4 shall govern, to be paid in Part 3.6 of the Plan as secured to stated interest. The following notice of post-petition mortgage fees, expenses and charges PNC Bank at Claim No. 9 in amount of \$825, will be paid under Plan after objection deadline has passed if no objection filed and sustained. To extent objection is filed and sustained amount will be added to the unsecured pot.

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) **IT IS FURTHER ORDERED THAT:**

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm
Judge
United States Bankruptcy Court

Dated: October 3, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Sharon M Friedel
 Debtor

Case No. 17-24417-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 26

Date Rcvd: Oct 03, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 05, 2018.

db +Sharon M Friedel, 2227 White St, Pittsburgh, PA 15226-1614
 cr +City & School District of Pittsburgh, Goehring, Rutter & Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES 15219-6101
 cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
 UNITED STATES 15219-6101
 14795100 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14722225 +Chse-bstbuy, Po Box 15298, Wilmington, DE 19850-5298
 14722226 +Citi, Pob 6241, Sioux Falls, SD 57117-6241
 14758904 +City & School District of Pittsburgh, Goehring, Rutter & Boehm,
 c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building,
 Pittsburgh, PA 15219-6101
 14757183 +Granite State Management & Resources, obo U.S. Dept of Education, PO Box 3420,
 Concord, NH 03302-3420
 14722228 +Hyundai Capital Americ, 4000 Macarthur Blvd Ste, Newport Beach, CA 92660-2558
 14722230 +Nhhelc/gsm&r, Po Box 3420, Concord, NH 03302-3420
 14806785 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14758911 +Pittsburgh Water & Sewer Authority, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14722231 +Pnc Bank, N.a., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
 14722232 +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
 14734589 Udren Law Office, 1111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003
 14722234 +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
 14722235 +Wffnb Retail, Po Box 94498, Las Vegas, NV 89193-4498

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14807727 +E-mail/Text: bncmail@-legal.com Oct 04 2018 02:26:15 COMENITY CAPITAL BANK,
 C/O Weinstein & Riley P.S., 2001 Western Ave Ste. 400, Seattle, WA 98121-3132
 14722224 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 04 2018 02:30:01 Capital One,
 Po Box 30281, Salt Lake City, UT 84130-0281
 14752047 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 04 2018 02:30:01
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14722227 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 04 2018 02:25:25 Comenitybk/victoriasec,
 Po Box 182789, Columbus, OH 43218-2789
 14722229 +E-mail/Text: bnckohlsnotices@becket-lee.com Oct 04 2018 02:25:18 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 14805577 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 04 2018 02:30:10
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A.,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14805574 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 04 2018 02:29:43
 LVNV Funding, LLC its successors and assigns as, assignee of CVF Consumer Acquisition,
 Company, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14753501 +E-mail/Text: bankruptcydpt@mcmg.com Oct 04 2018 02:26:02 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN MI 48090-2011
 14722233 +E-mail/PDF: gecscedi@recoverycorp.com Oct 04 2018 02:30:31 Syncb/tjx Cos, Po Box 965005,
 Orlando, FL 32896-5005

TOTAL: 9

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC Bank, National Association
 14734579* +Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
 14734580* +Chse-bstbuy, Po Box 15298, Wilmington, DE 19850-5298
 14734581* +Citi, Pob 6241, Sioux Falls, SD 57117-6241
 14734582* +Comenitybk/victoriasec, Po Box 182789, Columbus, OH 43218-2789
 14734583* +Hyundai Capital Americ, 4000 Macarthur Blvd Ste, Newport Beach, CA 92660-2558
 14734584* +Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 14734585* +Nhhelc/gsm&r, Po Box 3420, Concord, NH 03302-3420
 14734586* +Pnc Bank, N.a., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
 14734587* +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
 14734588* +Syncb/tjx Cos, Po Box 965005, Orlando, FL 32896-5005
 14734590* +Us Dep Ed, Po Box 5609, Greenville, TX 75403-5609
 14734591* +Wffnb Retail, Po Box 94498, Las Vegas, NV 89193-4498

TOTALS: 1, * 12, ## 0

Addresses marked '*' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 26

Date Rcvd: Oct 03, 2018

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 05, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 3, 2018 at the address(es) listed below:

David Neeren on behalf of Creditor PNC Bank, National Association dneeren@udren.com, vbarber@udren.com
James Warmbrodt on behalf of Creditor PNC Bank, National Association bkgroup@kmllawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com, cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor City & School District of Pittsburgh jhunt@grblaw.com, cnoroski@grblaw.com
Lawrence W. Willis on behalf of Debtor Sharon M Friedel ecf@westernpabankruptcy.com, urfreshstrt@gmail.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmeccf@chapter13trusteeewdpa.com

TOTAL: 7